

AMENDED IN SENATE JULY 1, 1998  
AMENDED IN ASSEMBLY MAY 11, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2541**

**Introduced by Assembly Member Margett**

February 20, 1998

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An act to amend Section 830.7 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2541, as amended, Margett. Peace officers: Department of Parks and Recreation employees.

Existing law provides that certain persons, including persons employed by the California Department of Forestry and Fire Protection are not peace officers but may exercise the powers of arrest during the course and within the scope of their employment upon successful completion of a course in the exercise of those powers.

This bill would also include in this provision certain employees ~~or classes of employees~~ of the Department of Parks and Recreation *classified as Firefighter/Security Officers*, if their primary duty is the protection of the state park system *at Hearst San Simeon State Historical Monument*, as set forth in a specified provision of law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 830.7 of the Penal Code is  
2 amended to read:

3 830.7. The following persons are not peace officers  
4 but may exercise the powers of arrest of a peace officer  
5 as specified in Section 836 during the course and within  
6 the scope of their employment, if they successfully  
7 complete a course in the exercise of those powers  
8 pursuant to Section 832:

9 (a) Persons designated by a cemetery authority  
10 pursuant to Section 8325 of the Health and Safety Code.

11 (b) Persons regularly employed as security officers for  
12 institutions of higher education, recognized under  
13 subdivision (a) of Section 94310.1 of the Education Code,  
14 if the institution has concluded a memorandum of  
15 understanding, permitting the exercise of that authority,  
16 with the sheriff or chief of police within whose  
17 jurisdiction the institution lies.

18 (c) Persons regularly employed as security officers for  
19 health facilities, as defined in Section 1250 of the Health  
20 and Safety Code, which are owned and operated by cities,  
21 counties, and cities and counties, if the facility has  
22 concluded a memorandum of understanding, permitting  
23 the exercise of that authority, with the sheriff or chief of  
24 police within whose ~~jurisdiction~~ *jurisdiction* the facility  
25 lies.

26 (d) Employees or classes of employees of the  
27 California Department of Forestry and Fire Protection  
28 designated by the Director of Forestry and Fire  
29 Protection, provided that the primary duty of the  
30 employee shall be the enforcement of the law as that duty  
31 is set forth in Section 4156 of the Public Resources Code.

32 (e) Persons regularly employed as inspectors,  
33 supervisors, or security officers for transit districts, as  
34 defined in Section 99213 of the Public Utilities Code, if the  
35 district has concluded a memorandum of understanding  
36 permitting the exercise of that authority, with, as  
37 applicable, the sheriff, chief of police, or California  
38 Highway Patrol within whose jurisdiction the district lies.

1 For purposes of this subdivision, the exercise of peace  
2 officer authority may include the authority to remove a  
3 vehicle from a railroad right-of-way as set forth in Section  
4 22656 of the Vehicle Code.

5 (f) Nonpeace officers regularly employed as county  
6 parole officers pursuant to Section 3089.

7 (g) Persons appointed by the Executive Director of  
8 the California Museum of Science and Industry pursuant  
9 to Section 4108 of the Food and Agricultural Code.

10 (h) ~~Employees or classes of employees~~ of the  
11 California Department of Parks and Recreation *classified*  
12 *as Firefighter/Security Officers and* designated by the  
13 Director of the California Department of Parks and  
14 Recreation, provided that the primary duty of the  
15 employee is the protection of the state park system *at*  
16 *Hearst San Simeon State Historical Monument*, as set  
17 forth in Section 5008 of the Public Resources Code.

